

CARROLL

TRIAL TERM

CRIMINAL DOCKET - U.S. District Court  
Sept. 11, 1990  
U.S. District Court  
SOWELL, GREGORY, a  
Greg Sowell

U.S. TITLE/SECTION  
21/846 Possess with intent to distribute and distribution of cocaine base, a Schedule II controlled substance (Ct.1) 1  
21/841(a)(1) Distribution of a Schedule II controlled substance - cocaine base (Cts. 3,4) 2

OFFENSES CHARGED  
ORIGINAL COUNTS  
DISMISSAL  
NG  
After N.G.  
After nolo  
Trial (voir dire) began  
Jury N.J.

INTERVAL ONE  
KEY DATE  
EARLIEST OF  
ARRAIGNMENT  
9-13-90  
1st Trial Ended  
9-13-90

END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)  
KEY DATE  
9-7-90  
APPLICABLE

KEY DATE  
9-10-90  
a) ☒ 1st appears on pending charge /R40  
b) ☐ Receive file R20/21  
c) ☐ Supdgd: ☐ Ind ☐ Inf  
d) ☐ Order New trial  
e) ☐ Remand f) ☐ IG/P Withdrawn

KEY DATE  
10-29-90  
APPLICABLE

DISPOSITION DATE  
11-1-90  
SENTENCE DATE  
3-20-91

PTD  
Nolle  
Pros.

FINAL CHARGES DISMISSED  
on S.T.  
grounds ☐ W.P. ☐ WOP ☐ on def motion on gov motion

III. MAGISTRATE  
Search Warrant  
Issued  
Return  
Summons  
Issued  
Served  
Arrest Warrant Issued  
COMPLAINT  
Date of Arrest  
OFFENSE (In Complaint)

INITIAL APPEARANCE DATE  
PRELIMINARY EXAMINATION  
OR  
REMOVAL  
HEARING  
WAIVED  
NOT WAIVED  
INTERVENING INDICTMENT

OUTCOME:  
DISMISSED  
HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT  
HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW

Show last names and suffix numbers of other defendants on same indictment/information:  
01-LINDSEY 03-BENSON

ATTORNEYS  
U.S. Attorney or Asst.  
James B. Wilson, U.S. Attorney  
Steven M. Reynolds, Asst. U.S. Attorney

Defense: 1 ☒ CJA. 2 ☐ Ret. 3 ☐ Waived. 4 ☐ Self. 5 ☐ Non / Other. 6 ☐ PD. 7 ☐ CD

Douglas C. Freeman  
669 S. Lawrence St.  
Montgomery, AL 36104  
(205) 264-2000  
Appt'd 9/11/90

Federal Defender  
1960 RSA Tower  
201 Monroe Street  
Montgomery, AL 36104  
324-2099  
(appt'd 1/6/97)

#08240-002  
FCI Marianna  
Quarters: M-B  
P. O. Box 7007  
Marianna, FL 32447-7007

FINE AND RESTITUTION PAYMENTS  
DATE RECEIPT NUMBER C.D. NUMBER  
DATE RECEIPT NUMBER C.D. NUMBER

APPEALS FEE PAYMENTS

IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

DATE	DOCUMENT NO.	DOCKET NO.	DEF.	MASTER DOCKETED MULTIPLE DEFENDANT CASE	PAGE	VI EXCLUDABLE DELAY	Ltr	Total
		90 06177	0.	PROCEEDINGS DOCKET FOR SINGLE DEFENDANT		Start Date End Date	Code	Days
				Gregory Sowell				
				(OPTIONAL) Show last names of defendants				
				<b>V. PROCEEDINGS</b>				
9-7-90	1			Indictment. (Unsealed per Order rendered in Cr. Misc. #235)				
9-7-90	3			Warrant for arrest issued.				
9-10-90				Initial appearance before Magistrate Carroll. Detention hearing continued to Thursday, 9-13-90.				
9-10-90	6			Government's motion for detention hearing.				
9-10-90	7			Defendant's financial affidavit.				
9-11-90	8			CJA 20 order/voucher appointing Douglas C. Freeman to represent the defendant at 9/13/90 detention hearing and arraignment.				
9-11-90				<b>ARRAIGNMENT.</b> Defendant appeared before Judge Varner with his attorney, Hon. Douglas Freeman, and entered a plea of not guilty. Remanded to custody of Marshal pending trial.				
9-14-90	14			Marshal's return on warrant for arrest executed 9/7/90.				
9-19-90	18			<b>TRIAL NOTICE.</b> (10/29/90 at 10:00 a.m., Dothan, Alabama.)				
9-21-90	22			Defendant's motion for additional 10 days to file pre-trial motions. Referred to Judge Hobbs.		9-21-90 9-21-90	F	4
9-21-90	24			Magistrate Carroll's <b>ORDER OF DETENTION PENDING TRIAL</b> (Rendered 9/14/90). (Copies furnished to USA, PO, USM; mailed to counsel.) EOD 9/21/90				
9-24-90	27			<b>ORDER DIRECTING</b> the Government to respond to defendant Lindsey's 9/21/90 motion to compel disclosure on or before 10/2/90; granting defendant Sowell's motion for an extension of time in which to file additional motions to the extent that defendant Sowell's motions shall be filed no later than 10/4/90; that the Government's responses to any such motion shall be filed on or before 10/7/90; <b>DIRECTING</b> all parties to file any requested voir dire questions and any proposed jury instructions on or before 10/22/90. (Copies furnished to USA; mailed to all remaining counsel.)				
10-18-90	39			Defendant's <b>ex parte motion</b> for issuance of subpoenas. Referred to Judge Hobbs.		10-18-90 10-18-90	E	2
10-19-90	41			<b>ORDER</b> directing the Clerk to issue the necessary subpoenas to require the attendance of the witnesses, as set out in order, at the trial of this case for the term commencing Monday, October 29, 1990, second floor courtroom, Dothan, Alabama; that the costs incurred by the issuance of these processes, the service thereof, and the fees of the witnesses be paid in the same manner that similar costs and fees are paid where witnesses are subpoenaed in behalf of the United States; that the U.S. Marshal execute and serve the necessary processes. <b>SUBPOENAS ISSUED.</b> (Copies furnished to USM w/subpoenas; mailed to counsel.)				

CONTINUED TO PAGE

LETTER CODES

For identifying periods of excludable delay per 18 USC 3161 (h) (See items in brackets)

A. Exam or hearing for mental/physical incapacity (18 USC 4244) (11) (A1)

B. NARA exam (18 USC 2902) (11) (B1)

C. Status/TolJ proceedings on other charges (11) (C1)

D. Interlocutory appeal (11) (D1)

E. Pretrial motion (from filing to hearing or to other prompt disposition) (11) (E1)

F. Transfer from other district per FRCP 20.21 or 40 or Mag. Rule 6a (11) (F1)

G. Proceedings under advisement, not to exceed 30 days, after all necessary submissions filed and hearings completed (11) (G1)

H. Misc. proceedings: arraignment, parole/probation, revocation, deportation, extra dition (11)

I. Deferral of proceedings (per 18 USC 2902) (11) (I1)

J. Transportation from another district or to/from examination or hospitalization in 10 days or less (11) (J1)

K. Consideration by Court of proposed plea agreement (11) (K1)

L. Prosecution deferred by mutual agreement (12)

M. Unavailability of defendant or essential witness (18) (A, B)

N. Period of mental/physical incompetence of def. to stand trial (14)

O. Period of NARA commitment/treatment (15)

P. Superseding indictment and/or new charges (16)

Q. Def. awaiting trial of co-defendant & no severance has been granted (17)

R. Continuance granted per (11) (R) use "T" alone if more than one of the following reasons (T1 thru T4) is given in support of continuance (18) (A, B)

T1. Failure to continue would stop further proceedings or result in miscarriage of justice (18) (B, (11))

T2. Case unusual or complex (18) (B, (11))

T3. Indictment following arrest can't be filed in 30 days (18) (B, (11))

T4. Continuance granted to obtain or substitute counsel, or give reasonable time to prepare (18) (B, (11))

U. Time up to scheduled guilty plea, 3161 (1)

W. Grand Jury indictment time extended 30 more days, 3161 (b)

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

U. S. vs

SOWELL, GREGORY

90-00177-02

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DATE	PROCEEDINGS (continued)		V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
	(Document No.)					
10-22-90	42	Defendant's requested jury charges (1-19). Referred to Judge Hobbs.				
10-22-90	43	Defendant's requested voir dire questions (1-18). Referred to Judge Hobbs.				
10-22-90	44	Government's requested jury instructions (1-14). Referred to Judge Hobbs.				
10-22-90	45	Government's requested voir dire questions (1-16). Referred to Judge Hobbs.				
10-25-90	49	Government's (additional) requested jury instruction. Referred to Judge Hobbs.				
10-29-90		Jury selected; trial commenced.				
10-30-90		Trial in progress.				
10-31-90		Trial in progress.				
11-1-90	51	Jury questions/request; Court's response.				
11-1-90	52	Jury question; Court's response.				
11-1-90	53	Jury question; Court's response.				
11-1-90	56	Jury verdict of guilty as charged in Counts 1, 3, and 4 of the Indictment.				
11-2-90	57	Courtroom deputy's minutes of trial proceedings on Oct. 29-31, 1990 and Nov. 1, 1990; witness list; exhibit lists. [EXHIBITS IN ONE (1) BOX IN BASEMENT EXHIBIT ROOM.] 10-31-90 Deft.'s oral motion for judgment of acquittal at the close of Gov.'s case. <b>MOTION DENIED 10-31-90.</b> 10-31-90 Deft.'s oral renewal of m/judg. of acquittal.				
11-30-90	58	Defendant's motion to allow release pending sentencing. Referred to Judge Hobbs.				
12-5-90	59	<b>ORDER</b> denying defendant's motion to allow release pending sentencing. (Copies mailed to counsel; furnished to USA, USM & PO.) EOD 12-5-90.				
12-19-90		Court reporter's transcript of the testimony of Fred G. Glover taken 10/30-31/90.				
2-28-91	60	Probation's letter on completion and mailing of presentence report to counsel.				

Interval  
(per Section II)Start Date  
End DateLtr. Total  
Code Days

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

SOWELL, GREGORY

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DATE	PROCEEDINGS (continued)		V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
	(Document No.)					
2-28-91	62	<b>SENTENCING NOTICE.</b> (3/20/91 at 11:00 a.m., first floor courtroom, Montgomery, AL.)				
3-18-91	66	U.S. Attorney's request to Marshal for the appearance of Fred Glover now confined at Maxwell F.P.C. on 3/20/91 to give testimony.				
3-18-91	67	U.S. Attorney's request to Marshal for the appearance of Amos Teague now confined at Maxwell F.P.C. on 3/20/91 to give testimony.				
3-20-91	72	<b>SENTENCE.</b> <b>JUDGMENT</b> committing defendant to the custody of the Bureau of Prisons for a term of TWENTY-SEVEN (27) YEARS; that this term consists of terms of 27 years on Count 1 and 20 years on Count 3 and 4 to be served concurrently; that the defendant is to stand committed for service of this sentence this date; that the defendant pay an assessment fee of \$150.00 through the office of the U.S. District Court Clerk which is due this date; placing defendant on supervised release for a period of FIVE (5) YEARS on each Count which is to run concurrently upon defendant's release from custody; that while on supervised release, the defendant shall comply with the standard conditions of supervised release that have been adopted by this Court and shall comply with the following additional conditions: that the defendant shall not possess a firearm or destructive device; that the defendant shall report in person to the U.S. Probation Office in the District to which he is released within 72 hours of his release from the custody of the Bureau of Prisons; that the defendant is to participate in a substance abuse treatment program as directed by his probation officer; The Court declined to enter an order of restitution. (Copies furnished to USA, PO, USM, defendant; mailed to counsel and Coffee Co. Bd. of Registrars.) EOD 3/21/91				
3-20-91	73	<b>ORDER</b> that the presentence report in this cause be filed with the Clerk of this Court wherein it shall be placed under seal; that if an appeal is taken, the presentence report shall be transmitted under seal to the appellate court; that upon written application to the Clerk of this Court, counsel for the defendant and for the government may examine the report or obtain a copy thereof as further set out in order. (Copies furnished to USA, PO; mailed to counsel.) EOD 3/21/91				
3-20-91	74	<b>PRESENTENCE REPORT.</b> (Sealed and placed in the vault.)				

Interval  
(per Section II)Start Date  
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Code Days

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DATE	PROCEEDINGS (continued)		V. EXCLUDABLE DELAY			
	(Document No.)		(a)	(b)	(c)	(d)
3-28-91	81	Courtroom deputy's minutes of 3/20/91 sentencing hearing.				
4-1-91	82	Defendant's <b>Notice of Appeal</b> to the U. S. Court of Appeals, Eleventh Circuit from the order entered 3/20/91. (Copies mailed to Douglas Freeman with appeal information sheet and CJA-24 form; furnished Steve Reynolds, AUSA; furnished James R. Dickens, Court Reporter; and certified copies to USCA, Eleventh Circuit with copies of order appealed from and docket entries.)				
4-10-91 *	83	CJA-24 Form. [James R. Dickens]				
5-3-91		Court Reporter James R. Dickens' official transcript (3 volumes) of trial held 10/29-31/90) before Judge Truman Hobbs, Dothan, AL.				
5-3-91		Court Reporter James R. Dickens' official transcript (1 volume) of sentencing hearing [Henry Jen Lindsey and Gregory Sowell] held 3/20/91 before Judge Truman M. Hobbs, Montgomery, AL.				
5-6-91		Copies of transcripts (4 volumes) mailed CMRRR to counsel.				
5-6-91		CJA-24 form approved for payment in the amount of \$1,302.00 by Judge Hobbs.				
5-8-91	92	Return receipt showing service of transcripts on L. Richardson for Douglas Freeman on 5-7-91.				
5-8-91		Certificate of Readiness of Record on Appeal mailed to USCA, Eleventh Circuit.				
*4-19-91		CJA 20 voucher for Hon. Douglas C. Freeman approved by Judge Hobbs in the amount of \$3,777.84 and processed for payment.				
7-8-91		\$25.00 partial assessment fee paid through the BOP inmate offset program per report dated 7-30-91.				
8-23-91		Entire Record on Appeal (1 volumes pleadings, 5 volumes transcripts and 3 envelopes exhibits [2 SEALED]) picked up by UPS for delivery to USCA, Eleventh Circuit.				
2-5-92		\$25.00 partial assessment fee paid through the BOP inmate offset program per report dated 2-24-92.				
7-8-92		\$25.00 partial assessment fee paid through the BOP inmate offset program .				

Interval  
(per Section III)Start Date  
End DateLtr. Total  
Code Days

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	(Document No.)	Page 5	(a)	(b)	(c)	(d)
10-19-92	93	JUDGMENT (entered 3/16/92, issued as mandate 10/15/92) of the U. S. Court of Appeals, Eleventh Circuit AFFIRMING the district court. See Rule 36-1.				
10-19-92	94	ORDER (entered 10/5/92) of the U. S. Supreme Court denying the petitioner for writ of certiorari to the U. S. Court of Appeals, Eleventh Circuit.				
10-19-92		Entire Record on Appeal to be returned at a later date.				
10-23-92		Entire Record on Appeal (1 volume pleadings, 5 volumes transcripts and 3 envelopes exhibits [2 SEALED]) returned by USCA, Eleventh Circuit.				
11-17-92		\$25.00 partial assessment fee paid through BOP offset program.				
3-4-93		\$25.00 partial assessment fee paid through BOP offset program.				
9-4-93		\$25.00 final assessment fee paid through BOP program.				
10-8-93	95	Government's SATISFACTION OF JUDGMENT.				
3-2-94		Official Court Reporter's Transcript of 10/29/90 Opening Statements [of 10/29/90 - 11/1/90 jury trial before Judge Truman M. Hobbs]. [1 volume]				
3-2-94		Official Court Reporter's Transcript of 10/31/90 Closing Statements [of 10/29/90 through 11/1/90 jury trial before Judge Truman M. Hobbs. [1 volume]				
4-12-94	96	Government's motion for release of evidence. Referred to Judge Hobbs. <b>GRANTED 4/14/94</b>				
4-14-94	97	<b>ORDER</b> GRANTING the United States of America's 4/12/94 Motion for Release of Evidence and DIRECTING the Clerk of the Court to release to the custody of Special Agent Allen Hancock of the Drug Enforcement Administration <u>all physical evidence</u> introduced by the United States during the trial of this matter and retained by the Court, and obtain a release therefor. (Copies mailed to counsel; furnished USA, USPO.)				
4-24-96	120	Defendant's <b>MOTION</b> Under 28 USC § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody. Referred to Magistrate Judge Carroll/Lane.				
4-29-96	121	Magistrate Judge Carroll's <b>ORDER</b> directing the clerk to serve a copy of this order with a copy of the defendant's §2255 motion upon the U.S. Attorney; an answer is ordered to be filed within twenty (20) days of the date of this order. (Copies mailed to defendant; furnished: USA, USM, USPO, USPTS, Sheila).				

CV-96-H-611-S

Interval  
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End DateLtr. Total  
Code Days



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DATE	PROCEEDINGS (continued)		Page 6		V. EXCLUDABLE DELAY			
	(Document No.)				(a)	(b)	(c)	(d)
5-14-96	124	Government's <b>response</b> to Motion under 28 U.S.C. § 2255 to vacate, set aside or correct sentence by a person in Federal custody. Referred to Magistrate Judge Carroll.						
5-17-96	125	Defendant's <b>MOTION</b> Requesting Time to Respond to Government's Response to §2255. Referred to Mag Judge Carroll. <b>GR 5/22/96</b> (Copies mailed to dft; furnished USA, USPO, USPTS.)						
5-28-96	127	Defendant's <b>Memorandum of Law</b> in Support of Movant's Motion to Vacate, Set Aside or Correct Sentence. Referred to Judge Carroll. (Construed as m/amend §2255) <b>M/GRANTED 6/5/96</b>						
5-28-96	128	Defendant's Emergency <b>Motion</b> for Bond. Referred to Magistrate Judge Carroll. <b>M/DENIED 6/5/96</b>						
5-28-96	129	Defendant's <b>Motion</b> Requesting Evidentiary Hearing. Referred to Magistrate judge Carroll. <b>M/DENIED 6/5/96</b>						
5-28-96	130	Defendant's <b>Motion</b> for Appointment of Counsel. Referred to Magistrate Judge Carroll. <b>M/DENIED 6/5/96</b>						
6-5-96	131	Magistrate Judge Carroll's <b>ORDER</b> denying defendant's motion for emergency bond, motion for appointment of counsel, and motion for evidentiary hearing. (Copies mailed to defendant; furnished: USA, USM, USPO, USPTS, SHEILA).						
6-5-96	132	Magistrate Judge Carroll's <b>ORDER</b> construing defendant's response filed 5/28/96 as a motion to amend 28 U.S.C. §2255 motion; motion to amend is granted; the clerk is directed to serve a copy of the amended §2255 motion upon the U.S. Attorney; an answer must be filed to the amended motion within twenty days of the date of this order. (Copies mailed to defendant; furnished: USA, USM, USPO, USPTS, Sheila).						
6-24-96	133	Government's <b>RESPONSE</b> to Defendant's Amended Motion Pursuant to 28 USC § 2255. <b>Referred</b> to Magistrate Judge Carroll.						
7-1-96	134	Defendant's <b>TRAVERSE</b> to United States' Response. Exhibits A-C attached. Referred to Mag Judge Carroll.						
7-1-96	135	Defendant's <b>MOTION</b> Requesting Evidentiary Hearing. Referred to Mag Judge Carroll. <b>M/TERMED by 2/10/97 Order</b>						
7-1-95	136	Defendant's Emergency <b>MOTION</b> for bond. Referred to Mag Judge Carroll.						
7-1-96	137	Defendant's <b>MOTION</b> for Appointment of Counsel. Referred to Mag Judge Carroll. <b>TRM 1/6/97</b>						

Interval  
(per Section II)

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End Date

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USA vs. GREGORY SOWELL

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DATE	PROCEEDINGS (continued)	Page 7	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
11-18-96	139 Defendant's (third) MOTION for Appointment of Counsel. Referred to Magistrate Judge Carroll. <b>TRM 1/6/97</b>					
11-18-96	140 Defendant's (third) MOTION Requesting Evidentiary Hearing. Referred to Magistrate Judge Carroll. <b>M/TERMED by 2/10/97 Order</b>					
1-6-97	145 Magistrate Judge Carroll's <b>ORDER appointing</b> the Federal Defender to represent the petitioner in all further proceedings, directing the Clerk to make the file available to counsel, or in the alternative, to furnish counsel with copies of all pleadings and documents contained in the file; and setting a <b>status conference</b> for 2/7/97 at 8:45 a.m., in chambers. (Copies mailed to dft and furnished USA, FD, USPO, USM.)					
2-10-97	146 Magistrate Judge Carroll's <b>ORDER</b> directing the dft to file an amended post-conviction motion on or before 4/8/97; setting a <b>pretrial conference</b> at 8:30 a.m. on 5/23/97, in chambers and directing parties to submit a proposed pretrial order as outlined in the attachment to this order; and setting an <b>evidentiary hearing</b> on 6/17/97 at 9:00 a.m., third floor courtroom. All parties shall file a witness list at least twenty days before trial, as outlined in order. The persons having custody of the petitioner are to produce him at the 6/17/97 evidentiary hearing. (Copies mailed to dft; copies furnished FD, USA, USPO, USM, MT, SL.)					
4-17-97	147 Defendant's <b>MOTION</b> to Extend Time Within Which to File Amended Post-Conviction Motion. Referred to Magistrate Judge Carroll.					
5-2-97	148 Government's <b>notice</b> of evidentiary hearing conflict. Referred to Magistrate Judge Carroll.					
5-2-97	149 Defendant's <b>AMENDED</b> Post-Conviction <b>MOTION</b> . Referred to Magistrate Judge Carroll.					
5-5-97	<b>STAMPED ORDER</b> (incorporated in Doc #147) <b>GRANTING</b> defendant's 4/17/97 Motion to Extend Time Within Which to File Amended Post-Conviction Motion. (Copies furnished to USA, FD, USPO)					
5-5-97	150 Magistrate Judge Carroll's <b>ORDER TREATING</b> the Govt's 5/2/97 notice as a motion to continue, granting the motion and continuing the <b>evidentiary hearing</b> to <b>6/30/97 at 9:00 a.m.</b> , Third Floor Courtroom, Montgomery, Alabama. (Copies furnished USA, FD, USPO; mailed to dft.)					
Interval (per Section II)			Start Date	End Date	Ltr. Code	Total Days



UNITED STATES DISTRICT COURT  
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90-00177-002

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DATE	PROCEEDINGS (continued)	Page 8	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
5-7-97	151 Magistrate Judge Carroll's <b>ORDER</b> continuing the pretrial conference scheduled in this cause for 5/23/97 to 6/13/97 at 10:30 a.m., in the Chambers of United States Magistrate Judge John L. Carroll. (Copies furnished FD, USA, USPO, MT, SL.)					
6-10-97	152 Petitioner's <b>witness list</b> . REferred to Magistrate Judge Carroll.					
6-13-97	153 Government's <b>witness list</b> and expected testimony. Referred to Magistrate Judge Carroll.					
6-16-97	154 Magistrate Judge Carroll's <b>pretrial order</b> . (Copies furnished to: Federal Defender, USA, USM, USPO; Stan).					
6-20-97	155 Government's motion for order to compel compliance with Court's order of 2-10-07. Referred to Mag. Judge Carroll. <b>M/GRANTED 6/25/97</b> . (Copies furnished to: USA, USM, USPO; mailed to: Fed. Defender).					
6-24-97	156 Defendant's motion to continue evidentiary hearing. Referred to Mag. Judge Carroll. <b>M/GRANTED 6/26/97</b> .					
6-26-97	157 Magistrate Judge Carroll's <b>ORDER</b> granting defendant's motion to continue Evidentiary Hearing; that the <b>evidentiary hearing</b> scheduled for 6/30/97 is <b>continued to August 19, 1997 @ 2 p.m.</b> , in the Third Floor Courtroom, of The Frank M. Johnson, Jr., Federal Building and U. S. Courthouse, Montgomery, AL; that persons having custody of defendant are directed to produce him at the August 19th hearing. (Copy mailed to: petitioner; Federal Defender; furnished to: USA, USM, USPO, Marie, Sheila & Stan).					
8-19-97	<b>EVIDENTIARY HEARING HELD PURSUANT TO 28 USC 2255 MOTION.</b>					
8-19-97	158 Courtroom Deputy's minutes, witness and exhibit lists.					
9-19-97	159 Magistrate Judge Carroll's <b>recommendation</b> that the motion for post-conviction relief filed by defendant be <b>DENIED</b> ; <b>ORDER</b> that the Clerk file the recommendation and serve by mail a copy thereof on the parties to this action. The parties are directed to file any objections to said recommendation within a period of 13 days from the date of mailing to them. (Copy mailed to; Federal Defender, petitioner; furnished to; USA, USM, USPO, Sheila; copy placed in front of file).					
Interval (per Section 11)			Start Date	End Date	Ltr. Code	Total Days

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

USA vs. GREGORY SOWELL

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DATE	PROCEEDINGS (continued) (Document No.)	Page 9	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
10-2-97	160 Defendant's <b>OBJECTION</b> to the Recommendation of the Magistrate Judge. Referred to Magistrate Judge Carroll.					
10-16-97	161 <b>ORDER, JUDGMENT, and DECREE</b> overruling the Objections to the Magistrate Judge's Recommendation, ADOPTING the 9/19/97 Recommendation of the Magistrate Judge, and DENYING defendant Sowell's Motion filed pursuant to 28 USC Section 2255. (Copies mailed to defendant and furnished USA, FD, USPO, USPTSO, Civil Clk.)					
10-24-97	162 <b>NOTICE OF APPEAL</b> BY Gregory Sowell to the U.S. Court of Appeals, Eleventh Circuit from the Order, Judgment & Decree entered in this action on October 16, 1997. (Copies mailed to William R. King, Esq., with appeal information sheet & criminal docketing statment; Steven M. Reynolds, AUSA; Court Repoter, & certified copy to USCA with copies of orders appealed from and docket entries.)					
10-27-97	Notice of Appeal docketed & transmitted to USCA, 11th Cir. Re: [162-1] appeal.					
11-5-97	USCA CASE #97-6856; Re: [162-1] appeal.					
12-17-97	162 Notice of Appeal (construed as a Motion for issuance of a Certificate of Appealability. referred to Judge Hobbs. <b>M/DENIED</b>					
12-18-97	163 <b>ORDER</b> denying [162-1] Motion for a Certificate of Appealability. (Copies mailed to Defendant, USCA; Furn: USA.)					
1-26-98	Received request from USCA (dated 1/20/98) for original papers.					
2-3-98	Entire Court File ( 1 volume original papers, 5 volumes transcripts, 1 Envelope exhibits & 1 sealed PSI report) picked up by UPS for delivery to USCA, 11th Cir. at request of CaCeila Williams.					
2-11-98	Received acknowledgment of receipt of ROA.					
3-24-98	Received copy of ORDER (dated 3/23/98) of the U.S. Court of Appeals, Eleventh Circuit, DENYING AS MOOT Appellant's motion for a certificate of probable cause , because he mailed his 28 U.S.C. §2255 motion before April 24, 1996, the effective date of the Antiterrorism and Effective Death Penalty Act of 1996, this appeal may proceed. (Signed by Judge Frank M. Hull, Circuit Judge)					
Interval (per Section II)			Start Date End Date	Ltr. Code	Total Days	

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

U. S. vs

SOWELL, GREGORY, a/k/a

90- 00177-S

Yr. Docket No. Def.

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
3-24-98	Entire Court File (1 volume original papers, 5 volumes transcripts, 1 envelope exhibits & 1 sealed PSI report) returned by USCA, 11th Cir.				
8-20-98	Received copy of correspondence from USCA, 11th Circuit (dated 8/18/98) advising PARTIES that a Motion to modify briefing schedule and motion to supplement ROA are both GRANTED.				
6-4-98*	Certificate of Readiness of Record on Appeal mailed to USCA, 11th Cir. & Counsel.				
1-19-99	Court Reporter's [Betty Murphree] transcript of 8/19/97 Evidentiary Hearing held before Hon. John L. Carroll.				
1-19-99	Certificate of Readiness of FIRST SUPPLEMENT to Record on Appeal mailed to USCA, 11th Cir. & Counsel.				
3-8-99	Received request from USCA, 11th Cir. for ROA, via e-mail.				
3-11-99	Entire Record on Appeal ( 1 volume pleadings, 6 volumes transcripts, 1 SEALED PSI, 1 Supp. to ROA) picked up by UPS for delivery to USCA, 11th Cir.) [97-6856] SEALED PSI RETURNED TO VAULT				
7-1-99	Received certified copy of PER CURIAM OPINION: (rendered May 5, 1999) of the U.S. Court of Appeals, 11th Circuit. [97-6856]				
7-1-99	164 JUDGMENT BY USCA: (rendered 5/5/99, is issued as the mandate 6/30/99) of the U.S. Court of Appeals, Eleventh Circuit, AFFIRMING the District Court. (Before: BIRCH, BARKETT and HULL, Circuit Judges.) [97-6856]				
7-1-99	Entire Record on Appeal ( 1 volume pleadings, 6 volumes transcripts, 1 SEALED PSI & 1 SUPP. To ROA) returned by USCA, 11th Cir. [97-6856]				

Interval (per Section II)    Start Date    Ltr. Total  
End Date    Code Days